

REMARKS/ARGUMENTS

Favorable reconsideration of this application as currently amended and in light of the following discussion is respectfully requested. This substitute amendment is intended to replace the amendment filed on May 24, 2006. Examiner Ellis requested via the phone a substitute amendment because the May 24, 2006 amendment amended the claims based on the September 12, 2005 claim amendments and not the January 27, 2006 amendments as it should have.

Claims 3, 4, 12, 18, 22-25, 27, and 28 are currently pending. The present Amendment amends Claims 3, 4, 12, 18, 22-24, 27, and 28; and cancels Claims 1, 2, 5-11, 13-17, 19-21, and 26 without prejudice or disclaimer. No new matter has been added.

In the outstanding Office Action, the drawings were objected to; the specification was objected to ; Claims 1, 3-5, 8, 9, 12, 13, 18-25, 27, 28 were objected to; and Claims 1, 2, 5-8, 11, and 13 were rejected under 35 U.S.C. § 103(a) as unpatentable over Maeda et al. (Japanese Patent No. 2001-180043); Claim 9 was rejected under 35 U.S.C. § 103(a) as unpatentable over Maeda in view of Neary (U.S. Patent No. 6,151,152); Claims 3 and 18 were rejected under 35 U.S.C. § 103(a) as unpatentable over Maeda in view of Ozaki et al. (U.S. patent No. 6,243,124); and 19 was rejected under 35 USC 103(a) as being obvious over Maeda et al. in view of Fujii et al. (U.S. patent No. 5,424,765).

Claims 4, 12, 22-25, 27, and 28 were indicated as being allowable. Applicant appreciatively acknowledges the indication of allowable subject matter.

In response to the objection to the drawings, Applicant point out that Claim 8 has been cancelled. Hence, the objection is moot.

In response to the objection to the specification, the specification has been amended as recommended in the office action. Therefore, no further objection on this basis is anticipated.

In response to the objection to claims 1, 3-5, 8, 9, 12, 13, 18-25, 27 and 28, Applicant points out that claims 1, 5, 8, 9, 13, and 19-21 have been cancelled. Consequently, the objection to those claims is moot. Claims 3, 4, 12, 18, 22-25, 27, and 28, have been amended as recommended in the office action. Hence, no further objection on this basis is anticipated.

Applicant acknowledges with appreciation the courtesy of an interview granted to Applicant's representative on April 06, 2006. With respect to claims 3 and 18, the Examiner noted that the rejection of those claims would be reconsidered. Applicant respectfully points out that the Examiner agreed to reconsider claims 3 and 18 because Ozaki et al. is directed to evaluating characteristics of a light beam using CCD cameras. The output of the CCD scanners are not used to adjust a clock frequency. Hence, a person of ordinary skill in the art would not have been motivated to modify Maeda to include a third detection unit. For the foregoing, reasons, Applicant respectfully requests that the rejection of claims 3 and 18 be withdrawn.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

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